

MEMO ENDORSED

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DOCUMENT
ELECTRONICALLY FILED
DOC#:
DATE FILED: 2/16/17

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February 15, 2017

Application granted. Mr. Archer will report daily to his Pretrial Services Officer while he is away and will surrender his children's passports to Pretrial Services while he is out of the country. The attached Exhibit will be filed under seal as it contains private travel information.

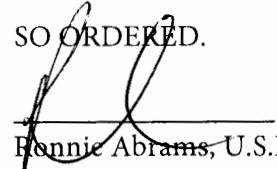
BY ELECTRONIC MAIL

Hon. Ronnie Abrams
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Jason Galanis, et al.*, 16 Cr. 371 (RA)

Dear Judge Abrams:

SO ORDERED.


Ronnie Abrams, U.S.D.J.
February 16, 2017

We represent Devon Archer, one of the defendants in the above-referenced case. I write to respectfully request the Court's permission for Mr. Archer to take a business trip to Singapore, Malaysia, and the Philippines. Your Honor has six times previously granted Mr. Archer permission to travel internationally on business, which he did without incident on each occasion, including to Italy, England, Spain, Latvia, Lithuania, Russia, Vietnam, and China. As before, the Court's Pretrial Services Office consents to this request, but the Government objects.

The proposed trip would be from February 19-25, in and around Singapore and Manilla, to negotiate and finalize the terms of a potential investment on behalf of one of the companies with which Mr. Archer is involved (the same potential investment about which Mr. Archer conducted due diligence in Asia last month). As usual, Mr. Archer has provided an itinerary to his Pretrial Services Officer, who as noted consents to this request. A copy of Mr. Archer's proposed flight and hotel information is attached as Exhibit A, which we respectfully request to be filed under seal.

On six prior occasions, the Court has permitted Mr. Archer to travel internationally for business. On each occasion, Mr. Archer returned on time and without incident, after surrendering his wife's and three young children's passports to Pretrial Services for the duration of his travel (except once, when Your Honor permitted his wife to travel with him as well). In addition, Mr. Archer has reported to Pretrial Services daily while away, and has executed and provided to the United States Attorney's Office an open-ended waiver of extradition, in the form requested by the Government, which covered not only his business trips but the entire duration of proceedings in this case. Specifically:

- On June 13, 2016, Your Honor permitted Mr. Archer to travel on business to Italy.

- On July 26, 2016, Your Honor permitted Mr. Archer and his wife, Dr. Archer, to travel on business to Latvia.
- On September 9, 2016, Your Honor permitted Mr. Archer to travel on business to China.
- On October 17, 2016, Your Honor permitted Mr. Archer to travel on business to England and Lithuania. On October 21, 2016, Your Honor further granted permission for Mr. Archer to modify his itinerary to include business travel to Russia.
- On November 28, 2016, Your Honor permitted Mr. Archer to travel on business to England and Spain.
- On January 4, 2017, Your Honor permitted Mr. Archer to travel on business to Vietnam and China. On January 17, 2017, Your Honor further granted permission for Mr. Archer to modify his itinerary to include travel to the United Kingdom.

In short, Mr. Archer has proven that he is no risk of flight. As we have previously explained, the evidence that Mr. Archer is not a flight risk is not limited to these five prior international trips. In the interests of judicial economy, we will not repeat all of those reasons here, and respectfully refer the Court to our prior correspondence on this issue. *See* ECF Nos. 41, 62, 78, 83, 84, 98, 111, and 122.

As before, if the Court permits him to travel, Mr. Archer will report daily to his Pretrial Services Officer while he is away. In the past, Mr. Archer's wife and his three young children have surrendered their passports to Pretrial Services while he was out of the country, except that once before (in July 2016), Your Honor permitted Dr. Archer to travel with her husband. On that occasion, Pretrial Services held the passports of their three young children while the Archers were abroad. Although Dr. Archer will not be travelling with Mr. Archer on this proposed trip, she does have an overlapping previously-scheduled international trip of her own. Accordingly, we respectfully request that (in addition to reporting daily) Mr. Archer be required to surrender only his three young children's passports while he is out of the country, and that he be permitted to travel to Singapore, Malaysia, and the Philippines on business from February 19-25, 2017.

Thank you for your consideration of this request.

Respectfully,

/s/ Matthew L. Schwartz
Matthew L. Schwartz

cc: BY ELECTRONIC MAIL

AUSAS Brian Blais, Aimee Hector, and Rebecca Mermelstein
U.S. Pretrial Services Officer Andrew R. Kessler-Cleary